



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

## Mail Stop AMENDMENT

Sir:

- ☐ Information Disclosure Statement
- ☐ Form PTO-1449, \_\_\_\_\_ references included
- ☐ Citations
- ☐ Declaration of Biological Deposit
- ☐ Others

3. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

☒ Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicants have inadvertently overlooked the need for a petition and fee for extension of time.

☐ Applicants petition for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

| <u>Total Months Requested</u>         | <u>Fee for Extension</u> | <u>[Fee for Small Entity]</u> |
|---------------------------------------|--------------------------|-------------------------------|
| <input type="checkbox"/> one month    | \$ 120.00                | \$ 60.00                      |
| <input type="checkbox"/> two months   | \$ 450.00                | \$ 225.00                     |
| <input type="checkbox"/> three months | \$ 1,020.00              | \$ 510.00                     |
| <input type="checkbox"/> four months  | \$ 1,590.00              | \$ 795.00                     |

Extension of time fee due with this request: **\$00**

If an additional extension of time is required, please consider this a Petition therefor.

☐ An extension for \_\_\_\_\_ months has already been secured and the fee paid therefor of \$\_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

4. Constructive Petition

☒ EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

5. Fee Calculation (37 C.F.R. §1.16)

| CLAIMS AS AMENDED                                     |                                           |       |                                |                  |               |              |
|-------------------------------------------------------|-------------------------------------------|-------|--------------------------------|------------------|---------------|--------------|
|                                                       | Claims<br>Remaining<br>After<br>Amendment |       | Highest No.<br>Previously Paid | Present<br>Extra | at Rate of    | Total Fees   |
| Total Claims<br>(37 C.F.R. §1.16(c))                  | 8                                         | minus | 20                             | 0                | x \$50 each=  | + \$ -0-     |
| Independent Claims<br>(37 C.F.R. §1.16(b))            | 4                                         | minus | 3                              | 1                | x \$200 each= | + \$ 200.00- |
| [ ] First presentation of Multiple dependent claim(s) |                                           |       |                                |                  | \$360.00      | + \$         |
| SUB-TOTAL =                                           |                                           |       |                                |                  |               | \$200.00     |
| Reduction by ½ for filing by a small entity           |                                           |       |                                |                  |               | - \$         |
| TOTAL FEE =                                           |                                           |       |                                |                  |               | \$200.00     |

6. Fee Payment

- ☐ No fee is to be paid at this time.
- ☒ The Commissioner is hereby authorized to charge **\$200.00** (extra independent claim fee) to Deposit Account No. 50-0310.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**By: Jason E. Gettleman  
Reg. No. 55,202Dated: January 24, 2006

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PATENT  
ATTORNEY DOCKET NO.: 040894-5970

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

*In re Application of:*

Shintaro HIRANO

Application No.: 10/694,218

Filed: October 28, 2003

For: DISK IDENTIFYING DEVICE

Confirmation No.: 2948

Group Art Unit No.: 2652

Examiner: Chen, Tianjie

## Mail Stop AMENDMENT

Commissioner for Patents  
U.S. Patent and Trademark Office  
**Mail Stop Amendment**  
Alexandria, VA 22314-1450

Sir:

**AMENDMENT**

In response to the Non-Final Office Action dated October 24, 2005, the period for response to which extends through January 24, 2006, please amend the above-identified application as follows:

01/25/2006 SZEWDIE1 00000115 500310 10694218  
01 FC:1201 200.00 DA